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General Assembly

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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Draft report submitted by the Chair

I. Introduction

1. At its sixty-ninth session, the General Assembly adopted resolution 69/107 on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

II. Opening and duration of the session

A. Organizational meeting

2. The Special Committee held the 1st meeting of its 2015 session on 19 February in New York. The meeting was opened, on behalf of the Secretary-General, by the acting Assistant Secretary-General for Political Affairs, Jens Anders Toyberg-Frandzen. The Special Committee elected officers for the 2015 session (see sect. B below), acceded to the participation of observers and adopted the organization of work, including the provisional programme of work and timetable.

3. At the same meeting, the Committee reaffirmed its decision to hold the Caribbean regional seminar in Managua from 19 to 21 May 2015 and adopted the rules of procedure, the agenda and the theme of the seminar. In that connection, the representative of Nicaragua made a statement. It decided to extend invitations to the seminar to the officials of Non-Self-Governing Territories, Member States, administering Powers, specialized agencies of the United Nations system, experts and regional and non-governmental organizations. Under the item entitled "Other matters", the representative of Papua New Guinea made a statement.

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B. Officers

4. Also at its 1st meeting, the Special Committee elected the following officers by acclamation:

Chair:

Xavier Lasso **Mendoza** (Ecuador)

Vice-Chairs:

Rodolfo **Reyes Rodriguez** (Cuba)
Desra **Percaya** (Indonesia)
Vandi Chidi **Minah** (Sierra Leone)

Rapporteur:

Bashar **Ja'afari** (Syrian Arab Republic)

III. Caribbean regional seminar

5. The Special Committee held the 2015 Caribbean regional seminar in Managua, where it was officially represented by eight of its members, namely, four members of the Bureau (representatives of Ecuador (Chair), Cuba and Indonesia (Vice-Chairs) and the Syrian Arab Republic (Rapporteur)) and four representatives selected on the basis of equitable regional representation, as follows: Ethiopia (Group of African States), Iran (Islamic Republic of) (Group of Asia-Pacific States), Russian Federation (Group of Eastern European States) and Venezuela (Bolivarian Republic of) (Group of Latin American and Caribbean States). In addition, four other members of the Special Committee in attendance were Chile, China, Nicaragua and Papua New Guinea. The 12 members of the Special Committee in attendance prepared the conclusions and recommendations of the seminar, which were adopted by the Special Committee.

6. The Chief of the Decolonization Unit of the Department for Political Affairs read a special message from the Secretary-General. Representatives of eight Non-Self-Governing Territories, nine experts, the 12 Committee members mentioned in paragraph 5 above and representatives of 10 other Member States, one fund and programme and one regional commission made statements. More than 80 interventions were made during the seminar, which was concluded with the adoption of a resolution of gratitude to the Government and people of Nicaragua. The report of the seminar is available on the website of the Special Committee. The 12 members of the Special Committee in attendance prepared the conclusions and recommendations of the seminar, which were adopted by the Special Committee and which will be contained in the report of the Special Committee covering its work in 2015.

IV. Resumed session

Proceedings

7. The Special Committee convened its resumed session from 15 to 26 June 2015, during which it held six meetings. On 15 June, it held its 2nd meeting, at which it adopted its updated programme of work and timetable and considered four agenda items. Under the item entitled "Information from Non-Self-Governing

Territories under Article 73 (*e*) of the Charter of the United Nations", the Special Committee adopted a related draft resolution submitted by the Chair. In the consideration of the item entitled "Dissemination of information on decolonization", representatives of the Department of Public Information and the Department of Political Affairs made presentations. The representatives of Cuba, Sierra Leone, Chile, Nicaragua, the Islamic Republic of Iran and the Syrian Arab Republic made statements on that item, as did the representatives of Algeria and Morocco, participating as observers in the meeting. The Committee adopted the draft resolution on the item submitted by the Chair.

8. Also at its 2nd meeting, the Special Committee considered the item entitled "Question of sending visiting missions to Territories", and the representatives of Papua New Guinea and the Islamic Republic of Iran made statements, as did the representatives of Algeria and Morocco, participating as observers in the meeting. The Special Committee deferred action on the item in order to allow for further review of the draft resolution submitted by the Chair.

9. At the same meeting, the Special Committee considered the item entitled "Question of Gibraltar", under which the Chief Minister of Gibraltar, a representative of the Self-Determination for Gibraltar Group and the representative of Spain, participating as an observer in the meeting, made statements. It decided to continue its consideration of the item at its next session, subject to any directives that the General Assembly might give at its seventieth session.

10. From 16 to 18 June, the Special Committee held informal consultations on the draft resolutions before it at its 2015 session, and came to a consensus on those texts ahead of their consideration.

11. At its 3rd and 4th meetings, on 22 June, the Special Committee considered the item entitled "Special Committee decision of 23 June 2014 concerning Puerto Rico: hearing of petitioners", under which representatives of the Islamic Republic of Iran (on behalf of the Non-Aligned Movement), Ecuador (on behalf of the Community of Latin American and Caribbean States (CELAC)), the Bolivarian Republic of Venezuela, Nicaragua, the Plurinational State of Bolivia and the Syrian Arab Republic made statements. Statements were also made by 36 petitioners. The draft resolution on the item submitted by Bolivia (Plurinational State of), Cuba, Ecuador, Nicaragua, the Syrian Arab Republic and Venezuela (Bolivarian Republic of) was adopted.

12. At its 5th meeting, on 23 June, the Special Committee considered the item entitled "Question of Tokelau" and the Ulu-o-Tokelau and representatives of Sierra Leone and New Zealand made statements. The draft resolution on the item submitted by Fiji, India, Indonesia, Iraq, Papua New Guinea and Sierra Leone was adopted.

13. At the same meeting, the Committee considered the item entitled "Questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands" and, in that connection, the representative of the territorial Government of the Turks and Caicos Islands made a statement. The Special Committee adopted the draft resolution on the item submitted by the Chair. It then decided that, with effect from its 2016 session, it would separate the

11 Territories addressed under that draft resolution, in order to consider them individually.

14. Also at its 5th meeting, the Special Committee resumed its consideration of the item entitled "Question of sending visiting missions to Territories" and adopted the related draft resolution submitted by the Chair. It decided to defer the consideration of the item entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples", in order to allow the Secretariat adequate time to determine the programme budget implications of the related draft resolution submitted by the Chair.

15. At the same meeting, the Special Committee considered the items entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations", under which the Committee heard a statement by the Russian Federation in explanation of position before action, and "Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories" and adopted the related draft resolutions on those items submitted by the Chair.

16. Also at its 5th meeting, the Special Committee considered the item entitled "Question of Western Sahara", under which the representatives of Bolivia (Plurinational State of), Côte d'Ivoire, Cuba, Ecuador, Nicaragua, Sierra Leone and Venezuela (Bolivarian Republic of) made statements. The representative of Frente Polisario also made a statement. The representatives of Algeria, South Africa and Morocco, participating as observers in the meeting, also made statements. The Special Committee decided to continue its consideration of the item at its next session, subject to any directives that the General Assembly might give at its seventieth session.

17. At its 6th meeting, on 25 June, the Special Committee considered the item entitled "Question of the Falkland Islands/Malvinas", under which two members of the Falkland Islands Legislative Council and two speakers asserting ancestry from the early settlers made statements. The Special Committee also heard statements on this item by the Minister for Foreign Affairs and Worship of Argentina, participating as an observer. Statements were also made by the representatives of Ecuador (on behalf of CELAC), the Bolivarian Republic of Venezuela, the Syrian Arab Republic, China, Nicaragua, the Plurinational State of Bolivia and Saint Vincent and the Grenadines. The Committee adopted the related draft resolution submitted by Bolivia (Plurinational State of), Chile, Cuba, Ecuador, Nicaragua and Venezuela (Bolivarian Republic of).

18. At its 7th meeting, on 25 June, the Special Committee continued its consideration of the item entitled "Question of the Falkland Islands/Malvinas" and heard statements by the representatives of Cuba, Indonesia, Tunisia, Uruguay (also on behalf of the Union of South American Nations (UNASUR)), Brazil (on behalf of the Southern Common Market (MERCOSUR)), Mexico, Guatemala, Sierra Leone, Colombia, El Salvador, Brazil, Honduras, Costa Rica, Peru and Paraguay, participating as observers. The Committee also heard statements by the representative of Ecuador and by the Minister for Foreign Affairs of Argentina, participating as an observer.

19. At its 8th meeting, on 26 June, the Special Committee considered the item entitled "Question of French Polynesia" and a member of the Assembly of French Polynesia within the Union pour la Démocratie made a statement.

20. At the same meeting, the Committee considered the item entitled "Question of New Caledonia", during which statements were made by the President of the Congress of New Caledonia, the representative of the Committee on Education and Culture of the Congress, the President of the Groupe UC-FLNKS in the Congress and the Secretary of the International Relations Unit of FLNKS.

21. Also at its 7th meeting, the Committee considered and adopted the conclusions and recommendations of the 2015 Caribbean regional seminar.

22. At the same meeting, the Special Committee adopted the draft report covering its work in 2015, including the recommendations of the Special Committee, and authorized its Secretary to prepare the final report within the allotted time frame.

Annex

Proposed meeting schedule for 2016

1. Taking into account its probable workload for 2016 and based on its current agenda items, the Special Committee shall consider holding its meetings in accordance with the following schedule:

(a) *Plenary*

February	1 meeting
March	1 meeting
June	Up to 7 meetings (5 to 7 meetings per week)

(b) *Bureau*

Up to 10 meetings during the year

2. The proposed programme shall not preclude the holding of any ad hoc meetings that might be warranted, and the Special Committee may, early in 2016, review its scheduled meetings on the basis of any new developments.

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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Fiji, India, Indonesia, Iraq, Papua New Guinea and Sierra Leone: draft resolution

Question of Tokelau

The General Assembly,

Having considered the question of Tokelau,

Taking note of the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2015 relating to Tokelau,[1]

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all resolutions and decisions of the United Nations relating to Non-Self-Governing Territories, in particular General Assembly resolution 69/104 of 5 December 2014,

Noting with appreciation the continuing exemplary cooperation of New Zealand as the administering Power with regard to the work of the Special Committee relating to Tokelau and its readiness to permit access by United Nations visiting missions to the Territory,

Noting with appreciation also the collaborative contribution to the development of Tokelau by New Zealand and the specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme,

Noting that, as a small island Territory, Tokelau exemplifies the situation of most remaining Non-Self-Governing Territories and that, as a case study pointing to successful cooperation for decolonization, Tokelau has wider significance for the United Nations as it seeks to complete its work in decolonization,

[1] *Official Records of the General Assembly, Seventieth Session, Supplement No. 23* (A/70/23), chap. XI.

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Recalling the status of Tokelau as an associate member of the Food and Agriculture Organization of the United Nations,

Cognizant that New Zealand and Tokelau signed on 21 November 2003 a document entitled "Joint statement of the principles of partnership", which sets out the rights and responsibilities of the two partners,

Bearing in mind the decision of the General Fono at its meeting in November 2003, following extensive consultations undertaken in all three villages, to explore formally with New Zealand the option of self-government in free association and its decision in August 2005 to hold in February 2006 a referendum on self-determination on the basis of a draft constitution for Tokelau and a draft treaty of free association with New Zealand, and its subsequent decision to hold a further referendum in October 2007, and that the two referendums did not produce the two-thirds majority of the valid votes cast required by the General Fono to change the status of Tokelau from that of a Non-Self-Governing Territory under the administration of New Zealand,

Recalling the holding of free and fair elections in the Territory in January 2014,

Noting the 2013 constitutional consultations, to be further considered by the Constitution Committee, which were driven by the people of Tokelau and which aimed at developing a model of government structure that is culturally appropriate and sensitive to their current situation, culminating in the approval and ratification of the national symbol of the Territory, along with the constitution, national anthem and national flag,

Bearing in mind the statement made by the Ulu-o-Tokelau at the Pacific regional seminar on the implementation of the Third International Decade for the Eradication of Colonialism: accelerating action, held in Nadi, Fiji, from 21 to 23 May 2014, that the self-determination process of the Territory could not be addressed in isolation from the threat of climate change and the rise in sea level, and also bearing in mind the intention of Tokelau to further review the National Strategic Plan in order to determine development and other priorities beyond 2015, including consideration of the issue of self-determination and how it would address a possible referendum on self-determination in cooperation with the administering Power,

Recalling the statement made at the seminar by the representative of the Government of New Zealand, as the administering Power, citing the close and cordial cooperation that has existed for nearly 90 years between the Territory and the administering Power, with an emphasis on quality health care and education, telecommunications, renewable energy, support for the fisheries sector and the establishment of transport infrastructure and services, including the ongoing construction of a new purpose-built ferry vessel for the people of Tokelau, to be delivered in 2015,

1. *Acknowledges* the decision of the General Fono in 2008 that consideration of any future act of self-determination by Tokelau will be deferred and that New Zealand and Tokelau will devote renewed effort and attention to ensuring that essential services and infrastructure on the atolls of Tokelau are enhanced and strengthened, thereby ensuring an enhanced quality of life and opportunities for the people of Tokelau;

2. *Welcomes* the progress made towards the devolution of power to the three taupulega (village councils) since 2004, and notes that further discussion is planned on the recommendations of the report on the devolution review, compiled in 2012;

3. *Notes with appreciation* that Tokelau and New Zealand remain firmly committed to the ongoing development of Tokelau for the long-term benefit of the people of Tokelau, with particular emphasis on the further development of facilities on each atoll that meet their current requirements;

4. *Recalls* the adoption by Tokelau of its National Strategic Plan for 2010-2015 and that the Joint Commitment for Development between Tokelau and New Zealand 2011-2015 prioritizes four main development pillars, including good governance, infrastructure development, human resources capacity development and sustainable development;

5. *Acknowledges* the ongoing and consistent commitment of New Zealand to meeting the social and economic requirements of the people of Tokelau, including the completion of the Tokelau Renewable Energy Project and a new shipping charter service, as well as the support and cooperation of the United Nations Development Programme and the World Health Organization;

6. *Commends* the achievement by Tokelau in 2013 of 60 per cent of the objectives of its National Strategic Plan, including the completion of the Tokelau Renewable Energy Project with the support of the administering Power and the granting of the Renewable Energy Award to the Government of Tokelau by the New Zealand Energy Efficiency and Conservation Authority;

7. *Acknowledges* the need of Tokelau for continued support from the international community and its desire to become part of the discussions on the post-2015 development agenda, the impacts of climate change and the protection of the environment and oceans;

8. *Notes* the intention of Tokelau to further review its National Strategic Plan in order to determine development and other priorities beyond 2015 and include consideration of the issue of self-determination and how the Territory would address a possible referendum on self-determination in cooperation with the administering Power;

9. *Recalls with satisfaction* the establishment and operation of the Tokelau International Trust Fund to support the ongoing needs of Tokelau, and calls upon Member States and international and regional agencies to contribute to the Fund and thereby lend practical support to Tokelau in overcoming the problems of smallness, isolation and lack of resources;

10. *Welcomes* the cooperative attitude of the other States and territories in the region towards Tokelau and their support for its economic and political aspirations and its increasing participation in regional and international affairs, and in this regard notes the successful chairmanship by Tokelau in 2014 of the tenth annual ministerial meeting of the Forum Fisheries Committee of the Pacific Islands Forum Fisheries Agency, held in Tokelau, and the representation of the Agency by the Ulu-o-Tokelau at the third International Conference on Small Island Developing States, held in Apia in September 2014;

11. *Calls upon* the administering Power and United Nations agencies to continue to provide assistance to Tokelau as it further develops;

12. *Recognizes* the positive actions taken by the administering Power to transmit to the Secretary-General under Article 73 *e* of the Charter of the United Nations information regarding the political, economic and social situation of Tokelau;

13. *Commends* the commitment of both Tokelau and New Zealand to continuing to work together in the interests of Tokelau and its people;

14. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to examine the question of the Non-Self-Governing Territory of Tokelau and to report thereon to the General Assembly at its seventy-first session.

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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Draft resolution submitted by the Chair

Question of French Polynesia

The General Assembly,

Having considered the question of French Polynesia,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2015 relating to French Polynesia,[1]

Reaffirming the right of peoples to self-determination, as enshrined in the Charter of the United Nations and in accordance with all relevant resolutions, including General Assembly resolutions 1514 (XV) of 14 December 1960 and 1541 (XV) of 15 December 1960,

Recalling its resolution 67/265 of 17 May 2013, entitled "Self-determination of French Polynesia", in which it affirmed the inalienable right of the people of French Polynesia to self-determination and independence in accordance with Chapter XI of the Charter and its resolution 1514 (XV), recognized that French Polynesia remains a Non-Self-Governing Territory within the meaning of the Charter, and declared that an obligation exists under Article 73 *e* of the Charter on the part of the Government of France, as the administering Power of the Territory, to transmit information on French Polynesia,

Taking note of the section related to French Polynesia of the Final Document of the Seventeenth Ministerial Conference of the Movement of Non-Aligned Countries, held in Algiers from 26 to 29 May 2014,

[1] *Official Records of the General Assembly, Seventieth Session, Supplement No. 23* (A/70/23), chap. IX.

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Expressing concern that 55 years after the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[2] there still remain a number of Non-Self-Governing Territories,

Recognizing that all available options for self-determination of the Territories are valid as long as they are in accordance with the freely expressed wishes of the peoples concerned, on a case-by-case basis and in conformity with the clearly defined principles contained in General Assembly resolutions 1514 (XV), 1541 (XV) and other relevant resolutions of the Assembly,

Recognizing also that the specific characteristics and the aspirations of the peoples of the Territories require flexible, practical and innovative approaches to the options for self-determination, on a case-by-case basis,

Conscious of the responsibility of the administering Power to ensure the full and speedy implementation of the Declaration in respect of French Polynesia,

Mindful that, in order for the Special Committee to enhance its understanding of the political status of the peoples of the Territories and to fulfil its mandate effectively, on a case-by-case basis, it is important for it to be apprised by the administering Powers and to receive information from other appropriate sources, including the representatives of the Territories, concerning the wishes and aspirations of the people of the Territories,

Recognizing the significant health and environmental impacts of nuclear testing conducted by the administering Power in the Territory over a 30 year period, and recognizing also the concerns in the Territory related to the consequences of those activities for the lives and health of the people, especially children and vulnerable groups, as well as the environment of the region, and bearing in mind General Assembly resolution 69/84 of 5 December 2014, entitled "Effects of atomic radiation",

Recalling the report of the Secretary-General on the environmental, ecological, health and other impacts of the 30 year period of nuclear testing in French Polynesia,[3] prepared pursuant to paragraph 5 of General Assembly resolution 68/93 of 11 December 2013,

Recognizing the need for the Special Committee to ensure that the appropriate bodies of the United Nations actively pursue a public awareness campaign aimed at assisting the peoples of the Territories in gaining a better understanding of the options for self-determination,

1. *Reaffirms* the inalienable right of the people of French Polynesia to self-determination, in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

2. *Also reaffirms* that it is ultimately for the people of French Polynesia to determine freely their future political status in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly, and in that connection calls upon the administering Power, in cooperation with the territorial Government and appropriate bodies of the United Nations

[2] Resolution 1514 (XV).

[3] A/69/189.

system, to develop political education programmes for the Territory in order to foster an awareness among the people of French Polynesia of their right to self-determination in conformity with the legitimate political status options, based on the principles clearly defined in Assembly resolution 1541 (XV) and other relevant resolutions and decisions;

3. *Calls upon* the administering Power to participate in and cooperate fully with the work of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in order to implement the provisions of Article 73 *e* of the Charter and the Declaration and in order to advise the Special Committee on the implementation of the provisions under Article 73 *b* of the Charter on efforts to promote self-government in French Polynesia, and encourages the administering Power to facilitate visiting and special missions to the Territory;

4. *Regrets* that the administering Power has not responded to the request to submit information on French Polynesia under article 73 *e* of the Charter;

5. *Reaffirms* that an obligation exists on the part of the administering Power to transmit information under Chapter XI of the Charter, and requests the administering Power to transmit to the Secretary-General such information on French Polynesia as called for under the Charter;

6. *Calls upon* the administering Power to intensify its dialogue with French Polynesia in order to facilitate rapid progress towards a fair and effective self-determination process, under which the terms and timelines for an act of self-determination would be agreed;

7. *Requests* the Special Committee to continue to examine the question of the Non-Self-Governing Territory of French Polynesia and to report thereon to the General Assembly at its seventy-first session.